

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

NATIONWIDE BI-WEEKLY
ADMINISTRATION, INC., et al.

Plaintiffs,

:

Case No. 3:04cv242

JUDGE WALTER HERBERT RICE

vs.

:

HOME MORTGAGE SERVICES, INC., et al.

Defendants.

:

DECISION AND ENTRY SUSTAINING IN PART AND OVERRULING IN
PART DEFENDANTS' MOTION FOR SUMMARY JUDGMENT (DOC.
#34)

Based upon reasoning and citations of authority, to be set forth in an
Expanded Opinion which will be filed shortly, the Court sustains in part and
overrules in part, the Motion for Summary Judgment filed by the Defendants (Doc.
#34).

September 30, 2005

/s/ Walter Herbert Rice
WALTER HERBERT RICE, JUDGE
UNITED STATES DISTRICT COURT

Copies to:
Counsel of record